



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/689,598 Confirmation No. : 6103
First Named Inventor : Hitoshi ANDOH
Filed : October 22, 2003
TC/A.U. : 3751
Examiner : P. T. Devore
Docket No. : 056208.52861US
Customer No. : 23911
Title : Air Intake Control Device for Internal Combustion
Engine and Air Intake Control Device for Gasoline
Engine

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☐ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☒ after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☒ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☐ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☐ The relevance of document(s) _____ to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☐ Copy of a corresponding foreign or international report citing document(s) _____, together with an English-language version (if not already in English) of that portion of the report indicating the degree of relevance found by the foreign office.

☐ English language equivalent publication(s) of document(s) _____ is/are submitted herewith.

☒ English language abstracts are submitted for documents listed on the PTO 1449 as AD-AN.

☐ English translation(s) of the foreign language document(s), is/are submitted herewith.

☒ Applicant submits the following explanations:

Japanese publication No. JP 11-002170, listed on the PTO 1449 as AI corresponds to U.S. Patent No. 6,041,754, listed on the PTO 1449 as AB.

IV. Continuations/Divisionals/PCT National Stage Applications

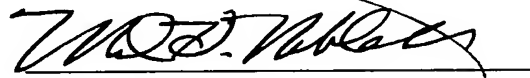
☐ Documents _____ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. _____, from which this application claims a benefit.

☐ Copies of the references listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 056208.52861US, for the fee set forth in 37 C.F.R. § 1.17(p).

October 4, 2005

Respectfully submitted,



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/689,598
		Filing Date	October 22, 2003
		First Named Inventor	Hitoshi ANDOH
		Art Unit	3751
		Examiner Name	P. T. Devore
Sheet 1 of 1	Attorney Docket Number	056208.52861US	

U.S. PATENT DOCUMENTS						
Examiner Initials [*]	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
	AA	US- 6,076,499		06-20-2000	Peter Klumpp	
	AB	US- 6,041,754		03-28-2000	Katsuyuki Mori et al.	
	AC	US- 6,186,115		02-13-2001	Mitsunori Nishimura et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ –Number ⁴ –Kind Code ⁵ (if known)				
	AD	JP 09-126325	05-13-1997	Tomoe Gijutsu Kenkyusho:KK		AB
	AE	JP 2000-110951	04-18-2000	Jidosha Kiki Co. Ltd.		AB
	AF	JP 06-137984	05-20-1994	Nippondenso Co., Ltd.		AB
	AG	JP 10-103082	04-21-1998	Aisan Ind. Co., Ltd.		AB
	AH	JP 07-269375	10-17-1995	Mikuni Corp.		AB
	AI	JP 07-269377	10-17-1995	Mikuni Corp.		AB
	AJ	JP 11-002170	01-06-1999	Nippon Soken Inc.; Toyota Motor Corp.		AB
	AK	JP 2000-018396	01-18-2000	Bosch Braking Systems Co. Ltd.		AB
	AL	JP 11-193726	07-21-1999	Honda Motor Co., Ltd.		AB
	AM	JP 06-129935	05-13-1994	Nippondenso Co., Ltd.		AB
	AN	JP 58-202337	11-25-1983	Aisin Seiki Co., Ltd.		AB

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.